

## Article - Health Occupations

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§11-202.

- (a)
  - (1) The Board consists of 7 members.
  - (2) Of the 7 members:
    - (i) Five shall be licensed optometrists; and
    - (ii) Two shall be consumer members.
  - (3) The Governor shall appoint the optometrist members, with the advice of the Secretary, from a list submitted to the Secretary by the Maryland Optometric Association.
  - (4) The number of names on the list shall be three times the number of vacancies.
  - (5) For each optometrist vacancy, the Maryland Optometric Association shall:
    - (i) Notify all licensed optometrists in the State of the vacancy to solicit nominations to fill the vacancy; and
    - (ii) Conduct a balloting process where every licensed optometrist is eligible to vote to select the names of the licensed optometrists that will be submitted to the Governor.
  - (6) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.
- (b) For at least 5 years before appointment, each optometrist member of the Board shall have:
  - (1) Resided in this State; and
  - (2) Practiced optometry actively and continuously in this State.
- (c) The consumer members of the Board:
  - (1) Shall be a member of the general public;

(2) May not be or ever have been an optometrist or in training to become an optometrist;

(3) May not have a household member who is an optometrist or in training to become an optometrist;

(4) May not participate or ever have participated in a commercial or professional field related to optometry;

(5) May not have a household member who participates in a commercial or professional field related to optometry; and

(6) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(d) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(e) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) (1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1982.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(6) A member may not serve more than 2 consecutive full terms.

(g) (1) The Governor may remove a member for incompetence or misconduct.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.

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